

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD BRENT KILBOURNE,

Plaintiff,

v.

HEIDI E. WASHINGTON, *et al.*,

Defendants.

Case No. 23-13008

Honorable F. Kay Behm

Magistrate Judge Elizabeth A. Stafford

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**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S  
SECOND MOTION TO APPOINT COUNSEL  
(ECF NO. 41)**

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Plaintiff Richard Brent Kilbourne moves a second time for appointment of counsel. ECF No. 41. In April of 2024, the Court denied his earlier motion for appointment of counsel without prejudice, reasoning that Richard has not shown exceptional circumstances meriting appointment of counsel during this pretrial stage. ECF No. 20. This conclusion has not changed. Thus, Richard's second request to appoint counsel, **ECF No. 41**, is **DENIED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

s/Elizabeth A. Stafford  
ELIZABETH A. STAFFORD  
United States Magistrate Judge

Dated: July 30, 2025

### **NOTICE TO PARTIES ABOUT OBJECTIONS**

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court’s ECF System to their email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on July 30, 2025.

s/Davon Allen  
DAVON ALLEN  
Case Manager